

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL NO. 1:05CV86**

**JACK V. SMITH,**

**Plaintiff,**

**Vs.**

**DADE BEHRING HOLDINGS,  
INC., a Delaware Corporation;  
JOHN M. DUFFEY; JOHN SHAW;  
and JAY W. ALLEN,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court on the Plaintiff's motion to dismiss his claims against the Defendant Dade Behring Holdings, Inc., with prejudice.

For the reasons stated in the motion and the Defendant Dade Behring having consented to the relief sought,

**IT IS, THEREFORE, ORDERED** that the Plaintiff's motion to dismiss is **ALLOWED**, and the Plaintiff's claims against the Defendant Dade Behring Holdings, Inc., are hereby **DISMISSED WITH PREJUDICE** in their entirety.

Signed: March 23, 2006

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

